



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: : Confirmation No. 4373
Hanke et al. :
: Art Unit: 1652
Appl. No.: 10/771,695 :
: Examiner: To Be Assigned
Filed: February 4, 2004 : Atty. Docket: 040049
For: Polynucleotides Encoding a Feedback-Resistant
Aspartokinase From Corynebacterium

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

PRELIMINARY AMENDMENT

Sir:

In advance of substantive examination in the above-identified matter, please amend the specification as follows:

- (A) A clean version of each replacement paragraph/section/claim/drawing along with clear instructions for entry;
- (B) Starting on a separate page, appropriate remarks and arguments; and
- (C) Starting on a separate page, a marked-up version entitled: "Version with markings to show changes made."

It is not believed that extensions of time or fees for net addition of claims are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and

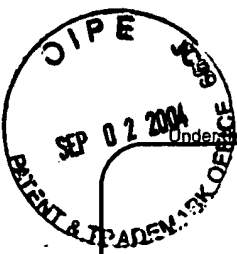
any fees required therefore (including fees for net addition of claims) are hereby authorized to be charged to our Deposit Account No. 02-4553.

Amendments to the specification start on page 3 of this paper.

Amendments to the drawings start on page 7 of this paper.

A version of the amendment to the specification with markings to show changes made starts on page 8 of this paper.

Remarks start on page 13 of this paper.



9-3-04

IFW

PTO/SB/21 (04-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/771,695	
	Filing Date	February 4, 2004	
	First Named Inventor	Paul Hanke	
	Art Unit	1652	
	Examiner Name	To be Assigned	
Total Number of Pages in This Submission	16	Attorney Docket Number	040049

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Postcard Express Mail Certificate
Remarks Please file the enclosed preliminary amendment and return the enclosed postcard.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Duane A. Stewart III, Esq.
Signature	<i>Duane A. Stewart III</i> #574,468
Date	September 3 2004

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name			
Signature		Date	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



CERTIFICATE OF MAILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10 - SEPARATE PAPER		ATTORNEY'S DOCKET NO. 040049
	IN RE APPLICATION OF: P. Hanke, et al.	
	Serial No.: 10/771,695	Filing Date: February 4, 2004
	Title: Polynucleotides Encoding a Feedback-Resistant Aspartokinase From Corynebacterium	
	Group Art Unit 1652	Examiner To be Assigned

Express Mail mailing label number: EV 418518026 US

Date of Deposit: September 2, 2004

I hereby certify that this paper or fee is being deposited with the

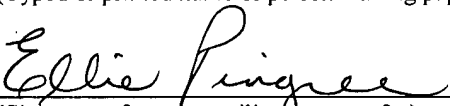
United States Postal Service "Express Mail Post Office to Addressee"

service under 37 CFR 1.10 on the date indicated above and is addressed

to MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box

1450, Alexandria, VA 22313-1450.

Ellie Pingree
(Typed or printed name of person mailing paper or fee)


(Signature of person mailing paper or fee)